

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

97 Cr. 292 (PAE)

-v-

MICHAEL ANGLIN,

ORDER

Defendant.

PAUL A. ENGELMAYER, District Judge:

On July 8, 2024, the Court stayed the restitution order of defendant Michael Anglin, pending the resolution by the Second Circuit of *United States v. Weinlein*, 109 F.4th 91 (2d Cir. 2024). *See* Dkt. 49. *Weinlein* presented the question whether application of the extended restitution liability period under the Mandatory Victims Restitution Act (MVRA) violates the *Ex Post Facto* Clause of the Constitution, U.S. Const. Art. I, § 9, cl. 3, where the relevant offense was committed before MVRA's effective date but resulted in a conviction after that date. *Weinlein*, 109 F.4th at 93–94. Anglin's motion to terminate his restitution obligations in connection with his 1997 conviction and 1998 sentence for armed robbery, *see* Dkts. 46, 49, turned on that question. *See generally* Dkt. 48 (Government letter with case summary).

On July 25, 2024, the Second Circuit issued its decision in *Weinlein*. It held that the retroactive application of the extended enforcement period of the MVRA does not violate the *ex post facto* clause. *See Weinlein*, 109 F.4th at 93–94. By letter dated August 2, 2024, the Government accordingly has moved that the Court lift the stay and deny Anglin's motion to terminate his obligation to make restitution payments. *See* Dkt. 50.

Substantially for the reasons given by the Government, the Court denies Anglin's motion, lifts the stay of the restitution order, and orders Anglin to resume making restitution payments as previously required.

The Clerk of Court is respectfully directed to mail a copy of this order to the defendant at the address below:

Michael Anglin
455 East 94th Street, Apt. A6
Brooklyn, NY 11212

SO ORDERED.


PAUL A. ENGELMAYER
United States District Judge

Dated: August 15, 2024
New York, New York